C. J.' Court

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 26th day of February 2003

Crl. Misc. Bail Application No. 178 of 2003

Order on the Bail Application

CRIMINAL SIDE

Smt. Ashifa w/o Ashif Raza
R/o Mohalla-Tarwala
Qaswba-Saithal,
P.S. Hafizgunj,
Distt. Bareilly

…….…. Applicant

Versus

State of Uttaranchal. ……...……...……..Opposite Party

Arising out of crime no. 177/2002
Under Sections: 302/498A/120B/201, I.P.C.
Police Station: Rudrapur
District: Udham Singh Nagar

By the Court

Hon. A. A. Desai, C. J.

Heard Mr. Rakesh Thapliyal, learned counsel for the applicant and learned A.G.A.

The applicant is facing prosecution for the offence punishable under sections 302/498A/120B/201, I.P.C. read with section 34, I.P.C. The prosecution is principally based on the dying declaration. It certainly implicates the applicant. However, applicant Ashifa is a lady of aged about 35 years and having a kid of three and half years. It is reported that her husband is in Kuwait. In view of these circumstances, I direct that the applicant Ashifa be released on bail on her furnishing a personal bond with two sureties each in the like amount to the satisfaction of the C.J.M. Udham Singh Nagar.

(**A. A. Desai, C. J.)**

Dt. 26.02.2003
A